UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,458	09/30/2003	Michel Chevanne	Q77711	2008

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EXAMINER
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ART UNIT	PAPER NUMBER
2452	

NOTIFICATION DATE	DELIVERY MODE
05/19/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
	10/673,458	CHEVANNE ET AL.
Office Action Summary	Examiner	Art Unit	
	TAUQIR HUSSAIN	2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>02/22/2011</u>.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-5, -6 and 9-17</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-5, 6 and 9-17</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is in response to amendment/reconsideration filed on

04/09/2010, the amendment/reconsideration has been considered. Claims 1 and 9 have

been amended and claim 7-8 have been canceled. Claims 1-6 and 9-17 are pending for

examination, the rejection cited as stated below:

Response to Arguments

2.   Applicant's arguments filed on "04/09/2010" have been fully considered but are

moot in view of new grounds of rejections as cited below:

3.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-6 and 9-17 are rejected under 35 U.S.C. 102(e) as being unpatentable

over Chari et al. (Patent No.: US 6151023 A1), hereinafter "Chari" in view of Toyoshima

et al (US 6298349 B1), hereinafter "Toyoshima".

6.   As to claim 1, Chari discloses the core concept of invention including, system

comprising a plurality of elements, which are components of the communication

network, associated with hierarchical levels (Chari, Abstract, Fig.1, displaying

management information regarding the hardware and software components in a

computer network.), wherein each element is associated with a set of primary data

stored in a memory, said primary data representing the element in the level to which

said element belongs without any specific attachment to any level higher than said

element (Chari, Fig.4 and Fig.6, Col.13, lines 22-26, the System Management Window

600 is divided into a left part 602 and a right part 604 e.g. left of the window 602

contains a secondary data and right part of the window 604 contains primary data and

the primary data representing just isolated without any attachments a level higher than

said primary elements); and

at least one of the sets of primary and secondary data of the elements of the

equipment that belong to a designated level and to levels lower than said equipment

(Chari, Fig.14, Col.15, lines 14-16, Although only the variables for the cooling

subsystem 206 are shown here, the process is the same when the user clicks on any

one of the other subsystems or device groups.), and for accessing and extracting from

the memory the at least one of the sets of primary and secondary data of the elements

of the equipment that belong only to a designated level (Chari, Fig.14, Col.15, lines 17-

19, The MIB Section Module 402 and the MIB Variable Module 406 will retrieve / extract

the values of the MIB variables associated with those other device groups or

subsystems.).

accessing and extracting from the memory at least one of the sets of primary and

secondary data of the elements of the equipment that belongs to designated level and

to levels lower than said equipment when a request designating a chosen level of a network equipment with attachment is received (Chari, Fig.5, Col.11, lines 10-18, The EnumServer Module 414 discovers and identifies the number of servers 136 in the system in one embodiment of the invention. The EnumServer Module 414 may store information in the memory of the microprocessor 102. The EnumServer Module 414 is a local module, but it is global in the sense that it is accessible from anywhere in the system. For example, if there are multiple servers, the EnumServer Module 414 may act as a repository of server information.).

at least one of the sets of primary and secondary data of the elements of the equipment that belong only to a designated level when a request designating a chosen level of a network equipment without attachment is received (Chari, Fig.5 and Fig.6, Col.13 , lines 6-12, when the user double-clicks on a server icon 506 or the server name 512 in the Network Map Window 502, Maestro 400 creates the System Management Window 600 and calls the Server Module 418, the MIB Manager Module 402, the MIB Section Module 404, and the MIB Variable Module 406, as shown in blocks 900 through 908. In block 910, Maestro 400 displays the System Management Window 600.).

wherein said management means refreshes the data of the elements displayed in the event of receiving a message reporting that an event relating to said elements has occurred within the network (Chari, Col.16, lines 53-63, after user apply the changes, the display changes i.e. fan speed / refreshes with the new values in the display).

Chari however does not explicitly discloses, wherein the data of the elements is displayed after realigning position data of the data of the elements or after the end of a procedure.

Toyoshima however discloses, wherein the data of the elements is displayed after realigning position data of the data of the elements or after the end of a procedure (Toyoshima, Fig.5, Col.8, lines 29-44, list display function displays the icons by relocating / realigning with in the window from one location to another, thus realigning position data).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to combine the teachings of Chari with the teachings of Toyoshima in order to provide a system resource display apparatus for use in a system including one or more managed devices, wherein said managed devices and said second system resource display apparatus communicate with each other via a network, each of said managed devices having a unique resource data item and a certain keyword data item assigned thereto, and each of said managed devices being responsive to a retrieval operation via said network for returning said assigned resource data item and keyword data item.

7.   As to claim 2, the combined system of Chari and Toyoshima disclose the invention as in parent claim above including, wherein said management means are adapted to send the extracted sets of primary or secondary data to a graphical interface (Toyoshima, Col.4, lines 29-43, each of said managed devices being responsive to a retrieval operation via said network for returning said assigned resource data item and

keyword data item. Said second system resource display apparatus is arranged to
display resources of each of said managed devices).

8.   As to claim 3, the combined system of Chari and Toyoshima disclose the
invention as in parent claim above including, wherein some elements are associated
with sets of primary and secondary data that are at least partly identical (Chari, Fig.3,
element-4, 5, element-4 contains all similar / identical element which are power related
and element-5, contains all CPU related elements).

9.   As to claim 5, the combined system of Chari and Toyoshima disclose the
invention as in parent claim above including, a management server of a communication
network management system, wherein said server comprises a system according to
claim 1 (Chari, Abstract, An apparatus for organizing and displaying management
information regarding the hardware and software components in a computer network.
The invention includes multiple operational parameters about different components in a
computer network wherein the operational parameters are organized into a plurality of
hierarchical levels.).

10.   As to claim 6, is rejected for same rationale as applied to claim 5 above.
Additionally server is a combination of software and hardware and can be integrating
into any required portion of the network where as required.

11.   As to claim 9, Chari discloses the core concept of invention including, system
comprising a plurality of elements, which are components of the communication

network, associated with hierarchical levels (Chari, Abstract, Fig.1, displaying

management information regarding the hardware and software components in a

computer network.), wherein each element is associated with a set of primary data

stored in a memory, said primary data representing the element in the level to which

said element belongs without any specific attachment to any level higher than said

element (Chari, Fig.4 and Fig.6, Col.13, lines 22-26, the System Management Window

600 is divided into a left part 602 and a right part 604 e.g. left part of the window 602

contains a secondary data and right part of the window 604 contains primary data and

the primary data representing just isolated without any attachments a level higher than

said primary elements); and

at least one of the sets of primary and secondary data of the elements of the

equipment that belong to a designated level and to levels lower than said equipment

(Chari, Fig.14, Col.15, lines 14-16, Although only the variables for the cooling

subsystem 206 are shown here, the process is the same when the user clicks on any

one of the other subsystems or device groups.), and for accessing and extracting from

the memory the at least one of the sets of primary and secondary data of the elements

of the equipment that belong only to a designated level (Chari, Fig.14, Col.15, lines 17-

19, The MIB Section Module 402 and the MIB Variable Module 406 will retrieve / extract

the values of the MIB variables associated with those other device groups or

subsystems.).

accessing and extracting from the memory at least one of the sets of primary and

secondary data of the elements of the equipment that belongs to designated level and

to levels lower than said equipment when a request designating a chosen level of a

network equipment with attachment is received (Chari, Fig.5, Col.11, lines 10-18, The

EnumServer Module 414 discovers and identifies the number of servers 136 in the

system in one embodiment of the invention. The EnumServer Module 414 may store

information in the memory of the microprocessor 102. The EnumServer Module 414 is a

local module, but it is global in the sense that it is accessible from anywhere in the

system. For example, if there are multiple servers, the EnumServer Module 414 may act

as a repository of server information.).

at least one of the sets of primary and secondary data of the elements of the

equipment that belong only to a designated level when a request designating a chosen

level of a network equipment without attachment is received (Chari, Fig.5 and Fig.6,

Col.13 , lines 6-12, when the user double-clicks on a server icon 506 or the server name

512 in the Network Map Window 502, Maestro 400 creates the System Management

Window 600 and calls the Server Module 418, the MIB Manager Module 402, the MIB

Section Module 404, and the MIB Variable Module 406, as shown in blocks 900 through

908. In block 910, Maestro 400 displays the System Management Window 600.).

wherein said management means refreshes the data of the elements displayed

in the event of receiving a message reporting that an event relating to said elements

has occurred within the network (Chari, Col.16, lines 53-63, after user apply the

changes, the display changes i.e. fan speed / refreshes with the new values in the

display).

Chari however does not explicitly discloses, wherein the data of the elements is displayed after realigning position data of the data of the elements or after the end of a procedure.

Toyoshima however discloses, wherein the data of the elements is displayed after realigning position data of the data of the elements or after the end of a procedure (Toyoshima, Fig.5, Col.8, lines 29-44, list display function displays the icons by relocating / realigning with in the window from one location to another, thus realigning position data).

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time the invention was made to combine the teachings of Chari with the teachings of Toyoshima in order to provide a system resource display apparatus for use in a system including one or more managed devices, wherein said managed devices and said second system resource display apparatus communicate with each other via a network, each of said managed devices having a unique resource data item and a certain keyword data item assigned thereto, and each of said managed devices being responsive to a retrieval operation via said network for returning said assigned resource data item and keyword data item.

12.   As to claim 10, the combined system of Chari and Toyoshima disclose the invention as in parent claim above including, wherein the primary and secondary data for all of the plurality of elements is stored in a centralized, long term storage device (Chari, Col.11, lines 10-18, there may be multiple servers that require the same or similar data. This information is stored locally in a central location / long term storage

device such as the EnumServer Module 414. Thus, the EnumServer Module 414 acts
as a repository).

13.   As to claim 11, the combined system of Chari and Toyoshima disclose the
invention as in parent claim above including, wherein the primary and secondary data
for all of the plurality of elements is stored in a centralized, long term storage device
(Chari, Col.11, lines 10-18, there may be multiple servers that require the same or
similar data. This information is stored locally in a central location / long term storage
device such as the EnumServer Module 414. Thus, the EnumServer Module 414 acts
as a repository).

14.   As to claim 12, the combined system of Chari and Toyoshima disclose the
invention as in parent claim above including, wherein said primary data of each of the
plurality of elements is a primary graphical representation showing the element with
which the primary data is associated within the hierarchical level to which the element
belongs without showing any attachment of the element to a hierarchical level higher
than the hierarchical level to which the element belongs (Chari, Fig.4 and Fig.6, Col.13,
lines 22-26, the System Management Window 600 is divided into a left part 602 and a
right part 604 e.g. left part of the window 602 contains a secondary data and right part
of the window 604 contains primary data and the primary data representing just
isolated without any attachments a level higher than said primary elements); and

        wherein said secondary data of each of the plurality of elements is a secondary
graphical representation showing the element with which the secondary data is

associated within the hierarchical level to which the element belongs and also showing

a connection of the element to a hierarchical level higher or equal to the hierarchical

level to which the element belongs (Chari, Fig. 6, right window represents the

secondary info and left window represents the primary window in a hierarchical manner,

Col.13, lines 20-27, representing the graphical representation of the network

components in hierarchical manner. As all the elements goes to the root element i.e.

micron, thus belongs to the root element).

15.   As to claim 13, the combined system of Chari and Toyoshima disclose the

invention as in parent claim above including, wherein said management means

accesses and extracts from the memory at least one of the sets of primary and

secondary graphical representations of the elements of the equipment that belong to a

designated hierarchical level and to hierarchical levels lower than said designated level

when a request designating a chosen hierarchical level of a network equipment with

attachment is received (Chari, Fig.5, Col.11, lines 10-18, The EnumServer Module 414

discovers and identifies the number of servers 136 in the system in one embodiment of

the invention. The EnumServer Module 414 may store information in the memory of the

microprocessor 102. The EnumServer Module 414 is a local module, but it is global in

the sense that it is accessible from anywhere in the system. For example, if there are

multiple servers, the EnumServer Module 414 may act as a repository of server

information.), and

        wherein said management means accesses and extracts from the memory at

least one of the sets of primary and secondary graphical representations of the

elements of the equipment that belong only to a designated hierarchical level when a request designating a chosen hierarchical level of a network equipment without attachment is received (Chari, Fig.4 and Fig.6, Col.13, lines 22-26, the System Management Window 600 is divided into a left part 602 and a right part 604 e.g. left part of the window 602 contains a secondary data and right part of the window 604 contains primary data and the primary data representing just isolated without any attachments a level higher than said primary elements).

16.   As to claim 14, the combined system of Chari and Toyoshima disclose the invention as in parent claim above including, wherein said management means sends the extracted at least one of the sets of primary graphical and secondary graphical representations to a graphical interface (Toyoshima, Col.4, lines 29-43, each of said managed devices being responsive to a retrieval operation via said network for returning said assigned resource data item and keyword data item. Said second system resource display apparatus is arranged to display resources of each of said managed devices).

17.   As to claim 15, the combined system of Chari and Toyoshima disclose the invention as in parent claim above including, wherein said management means accesses and extracts from the memory at least one of the sets of primary and secondary graphical representations of the elements of the equipment that belong to a designated hierarchical level and to hierarchical levels lower than said designated level when a request designating a chosen hierarchical level of a network equipment with

attachment is received (Chari, Fig.5, Col.11, lines 10-18, The EnumServer Module 414

discovers and identifies the number of servers 136 in the system in one embodiment of

the invention. The EnumServer Module 414 may store information in the memory of the

microprocessor 102. The EnumServer Module 414 is a local module, but it is global in

the sense that it is accessible from anywhere in the system. For example, if there are

multiple servers, the EnumServer Module 414 may act as a repository of server

information.), and

     wherein said management means accesses and extracts from the memory at

least one of the sets of primary and secondary graphical representations of the

elements of the equipment that belong only to a designated hierarchical level when a

request designating a chosen hierarchical level of a network equipment without

attachment is received (Chari, Fig.4 and Fig.6, Col.13, lines 22-26, the System

Management Window 600 is divided into a left part 602 and a right part 604 e.g. left part

of the window 602 contains a secondary data and right part of the window 604 contains

primary data and the primary data representing just isolated without any attachments a

level higher than said primary elements).

18.   As to claim 16 the combined system of Chari and Toyoshima disclose the

invention as in parent claim above including, wherein said management means

accesses and extracts from the memory at least one of the sets of primary and

secondary graphical representations of the elements of the equipment that belong to a

designated hierarchical level and to hierarchical levels lower than said designated level

when a request designating a chosen hierarchical level of a network equipment with

attachment is received (Chari, Fig.5, Col.11, lines 10-18, The EnumServer Module 414

discovers and identifies the number of servers 136 in the system in one embodiment of

the invention. The EnumServer Module 414 may store information in the memory of the

microprocessor 102. The EnumServer Module 414 is a local module, but it is global in

the sense that it is accessible from anywhere in the system. For example, if there are

multiple servers, the EnumServer Module 414 may act as a repository of server

information.), and

wherein said management means accesses and extracts from the memory at

least one of the sets of primary and secondary graphical representations of the

elements of the equipment that belong only to a designated hierarchical level when a

request designating a chosen hierarchical level of a network equipment without

attachment is received (Chari, Fig.4 and Fig.6, Col.13, lines 22-26, the System

Management Window 600 is divided into a left part 602 and a right part 604 e.g. left part

of the window 602 contains a secondary data and right part of the window 604 contains

primary data and the primary data representing just isolated without any attachments a

level higher than said primary elements).

19.   As to claim 17, the combined system of Chari and Toyoshima disclose the

invention as in parent claim above including, wherein said management means sends

the extracted at least one of the sets of primary graphical and secondary graphical

representations to a graphical interface (Toyoshima, Col.4, lines 29-43, each of said

managed devices being responsive to a retrieval operation via said network for

returning said assigned resource data item and keyword data item. Said second system

resource display apparatus is arranged to display resources of each of said managed devices).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAUQIR HUSSAIN whose telephone number is (571)270-1247. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu V. Nguyen can be reached on (571) 272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. H./   /DUYEN M DOAN/
Examiner, Art Unit 2452   Primary Examiner, Art Unit 2452